

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MSC.SOFTWARE CORPORATION,

Plaintiff(s),

CASE NUMBER: 07-12807
HONORABLE VICTORIA A. ROBERTS

v.

ALTAIR ENGINEERING, INC., MARC
KLINGER, ANDREA PERTOSA, STEPHAN
KOERNER, TOM RIEDEMAN, RAJIV RAMPALLI
MARK KRUEGER, and MICHAEL HOFFMAN

Defendant(s).

ORDER APPOINTING SPECIAL MASTER

This is a misappropriation of trade secrets case. Plaintiff MSC.Software Corporation (“MSC”) alleges Defendants Marc Klinger, Andrea Pertosa, Stephan Koerner, Tom Riedeman, Rajiv Rampalli, Mark Krueger, and Michael Hoffman (collectively “the individual Defendants”) misappropriated its integrator formulas, algorithms, equations, and processes for the benefit of Defendant Altair Engineering, Inc.

Due to the complexity of the subject matter, the Court finds it will be materially assisted by the appointment of a special master. With the consent of the parties, the Court appoints Professor Lee A. Hollaar to serve as a special master pursuant to Fed. R. Evid. 706.

Professor Hollaar:

1. Will assist the Court with MSC’s pending motion for temporary restraining order (“TRO”) and/or preliminary injunction.

2. May communicate *ex parte* with the Court regarding the pending motion.
3. May communicate *ex parte* with technical people assembling the information he requires. But, in no case may a technical person be one of the individual Defendants.
4. Will comply with the parties' protective orders.
5. Will review the papers filed by the parties in connection with MSC's motion and provide the Court with a recommendation.

Each of the parties will:

1. Load their development tool, commercial version, and source code that was in effect on the date the last individual Defendant left MSC on a portable computer and provide it to Professor Hollaar by **12:00 p.m. on Friday, April 4, 2008**, and provide Professor Hollaar with appropriate passwords.
2. Provide Professor Hollaar with a protective order that he must sign.
3. Provide Professor Hollaar with a copy of their papers filed in connection with MSC's motion for TRO and/or preliminary injunction.

Professor Hollaar's fees and expenses will be paid by the parties in equal shares at a rate of \$300.00 per hour. Professor Hollaar is to send periodic bills directly to the Court.

Professor Hollaar's duties may expand in the future, at the direction of the Court.

IT IS ORDERED.

s/Victoria A. Roberts

Victoria A. Roberts

United States District Judge

Dated: April 1, 2008

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on April 1, 2008.

s/Linda Vertriest
Deputy Clerk